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## REVIEWS.

A FIRST BOOK OF JURISPRUDENCE. By Sir Frederick Pollock, Bart.  
New York : The Macmillan Co. 1896. pp. xvi, 348.

"To readers who have laid the foundation of a liberal education and are beginning the special study of law," this latest work of Sir Frederick Pollock is addressed. That those whose law studies began many years ago will derive fully as much benefit from it as beginners is certain. It is one of those books that open up to a lawyer a broader view of the dignity of his profession. Written by the keenest of legal thinkers, and enlivened by illustrations drawn from history and literature, it makes delightful reading from beginning to end. Sir Frederick's well known literary style is unsurpassed for work of this sort. In fully as marked a degree as the kindred treatises of Sir Henry Maine and Professors Holland and Markby, the *First Book of Jurisprudence* is no less an addition to English literature than to the science of the law.

The first part of the book deals with general legal notions, including the nature, meaning, subject matter, and divisions of law; and the legal significance of such general terms as Thing, Event, and Act. "We find in all human sciences that those ideas which seem to be the most simple are really the most difficult to grasp with certainty and express with accuracy." So speaks the author and contrasts the ease with which the student defines a fee simple, for example, with the difficulties that beset the greatest jurist "in face of the apparently simple question, What is Law?" To the solution of these apparently simple, but far-reaching and fundamental problems Sir Frederick devotes the larger portion of the book. Part II., on Legal Authorities and their Use, entirely different in character, as its name indicates, is not a whit less interesting. Especially valuable are the analysis of sovereignty as distinguished from ultimate political power, and the discussion of the authority of precedents in the various courts of England and America.

To readers of the *HARVARD LAW REVIEW*, certain parts of the book will be familiar. The chapters on Justice according to Law, Divisions of Law, and Sovereignty in English Law, have already appeared as articles in these pages.

R. G. D.

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A TREATISE ON THE LAW OF REAL PROPERTY, as applied between Vendor and Purchaser in Modern Conveyancing, or Estates in Fee and their Transfer by Deed. By Leonard A. Jones. Boston and New York: Houghton, Mifflin & Co. 1896. 2 vols., 8vo, pp. clxxiv, 783, viii, 853.

For a single author, in a single treatise, even of sixteen hundred pages, to treat thoroughly the whole law of Real Property would be too heavy a task. Mr. Jones has not attempted so much as that; though what he has undertaken is no small matter. To quote his own words: "These volumes do not profess to cover the entire field of Real Property law. It is impossible in two or even three volumes to state the law and give the authorities relating to the entire subject. It is only possible in such compass to state general principles with a meagre citation of authorities. I write now, as I have written heretofore, with the purpose to state with considerable fulness the law of the topics of which I treat,

—to state it with such completeness as to make the treatise valuable to the courts and to practising lawyers. Moreover, I have intended to state the law only as it now is, with as little reference as possible to the law that has become obsolete. . . . The subjects that present the most difficulties and give rise to the most litigations I have discussed with the greatest care. I have cited a great number of cases, and have cited them after examination for their value." As might have been expected from his well known books upon Mortgages, Mr. Jones has done his work with admirable care and thoroughness. This book can hardly fail to be of great use to practising lawyers,—all the greater, perhaps, because it passes over many parts of the general subject interesting to students.

R. G.

NEW CRIMINAL PROCEDURE. By Joel Prentiss Bishop, LL. D. Fourth Edition, Vol. II., Specific Offences and their Incidents. Chicago: T. H. Flood & Co. 1896. 8vo, pp. xii, 882.

The first volume of this "new and revised" edition of the New Criminal Procedure appeared last year. (See 9 HARVARD LAW REVIEW, 161.) Of a second volume in a new edition of one of Mr. Bishop's works little need be said. According to the general system followed by the author in his writings, the work is really rewritten to attain greater clearness and at the same time greater conciseness. In spite of the added citations, if the index is not counted, the volume is slightly smaller than the third edition.

Though it is said in the Preface to the first volume that it is complete in itself, the second volume is a valuable adjunct. Treating as it does of "the specific offences," it brings out those peculiarities and essentials of each crime which are of importance in the indictment, in the evidence, and in practice. Here is found, for instance, the rule that in perjury "oath against oath" is insufficient,—its original and its modern significance. Setting forth in convenient form all the minor elements and peculiarities of each crime, the book should often prevent a slip or surprise in practice.

E. S.

ELEMENTS OF THE LAW OF TORTS. By Melville M. Bigelow, Ph. D., LL. D. Sixth Edition. Boston: Little, Brown & Co. 1896. pp. 386.

This latest edition of a work widely and favorably known, is new only in the "'General Doctrine' or general theory of the law of torts," which now appears as an introduction. Regarding the body of the book it needs only to be said that the author has followed the same systematic arrangement of "Specific Torts" according to the elements of liability, previously adopted by him, and that the whole is thoughtfully and well done. The merits of the added preliminary discussion are worthy of special notice. The distinction there pointed out between Right and Privilege, the elaborately explained definition of Tort, and the consideration of Persons, are clear and satisfactory. The best portions of the "General Doctrine," however, are those sections dealing with "Legal Cause" and "Termination of Liability." These two topics, generally inadequately treated, are here so simply and definitely handled as to command the reader's admiration, and to prepare his understanding for what follows.

R. L. R.